

**United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213**

Date:

In Re:

-v-

Case #: ()

Dear Litigant,

Enclosed is a copy of the judgment entered in your case.

Your attention is directed to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, which requires that if you wish to appeal the judgment in your case, you must file a notice of appeal within 30 days of the date of entry of the judgment (60 days if the United States or an officer or agency of the United States is a party).

If you wish to appeal the judgment but for any reason you are unable to file your notice of appeal within the required time, you may make a motion for an extension of time in accordance with the provision of Fed. R. App. P. 4(a)(5). That rule requires you to show "excusable neglect" or "good cause" for your failure to file your notice of appeal within the time allowed. Any such motion must first be served upon the other parties and then filed with the Pro Se Office no later than 60 days from the date of entry of the judgment (90 days if the United States or an officer or agency of the United States is a party).

The enclosed Forms 1, 2 and 3 cover some common situations, and you may choose to use one of them if appropriate to your circumstances.

The Filing fee for a notice of appeal is \$5.00 and the appellate docketing fee is \$250.00 payable to the "Clerk of the Court, USDC, SDNY" by certified check, money order or cash. **No personal checks are accepted.**

J. Michael McMahon, Clerk of Court

by: _____

, Deputy Clerk

APPEAL FORMS

civ. ()

Revised: March 4, 2003

civ. ()

Revised: March 4, 2003

United States District Court
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500 Pearl Street, New York, N.Y. 10007-1213

-----X -V- -----X	NOTICE OF APPEAL AND MOTION FOR EXTENSION OF TIME civ. ()
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1. Notice is hereby given that _____ hereby appeals to
(party)
the United States Court of Appeals for the Second Circuit from the judgment entered on _____.
[Give a description of the judgment]

2. In the event that this form was not received in the Clerk's office within the required time

(party)
respectfully requests the court to grant an extension of time in
accordance with Fed. R. App. P. 4(a)(5).

a. In support of this request, _____ states that
(party)
this Court's judgment was received on _____ and that this form was mailed to the
(date)
court on _____ .
(date)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____ () _____ - _____
(Telephone Number)

Note: You may use this form if you are mailing your notice of appeal and are not sure the Clerk of the District Court will receive it within the 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 3

APPEAL FORMS

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

-----X		
		AFFIRMATION OF SERVICE
-V-		
		civ. ()
-----X		

I, _____, declare under penalty of perjury that I have
served a copy of the attached _____

upon _____

whose address is: _____

Date: _____
New York, New York

(Signature)

(Address)

(City, State and Zip Code)

FORM 4

APPEAL FORMS

TERWIN ADVISORS LLC,

Plaintiff,

-against-

ATLAS MORTGAGE FUNDING CORP.,

Defendant.

Case No.: 07 Civ. 10731 (LAP)

ECF Case

#08,0490

DEFAULT JUDGMENT

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/26/08

This action having been commenced on November 30, 2007, by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served on defendant Atlas Mortgage Funding Corp., on December 26, 2007, by personal service upon Jay Boersma, President of Atlas Mortgage Funding Corp., and proof of such service having been filed on January 8, 2008, and the defendant not having answered or otherwise responded to the Complaint, and the time for answering or otherwise responding to the Complaint having expired, it is


ORDERED, ADJUDGED, AND DECREED that pursuant to Fed. R. Civ. P. 55(b)(2) and Local Civil Rule 55.2(b), that judgment is hereby GRANTED as follows:

- (1) In favor of plaintiff Terwin Advisors LLC and against defendant Atlas Mortgage Funding Corp. on said plaintiff's First Cause of Action, in the total amount of \$1,794,670, plus interest, in the amount of \$442 per diem, from February 22, 2008 to the date of judgment; and
- (2) In favor of plaintiff Terwin Advisors LLC and against defendant Atlas Mortgage Funding Corp. on said plaintiff's Second Cause of

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MAR 31 2008 3:00 PM

Action, in the total amount of \$27,785, plus interest, in the amount
of \$6.85 per diem, from February 22, 2008 to the date of judgment;
amounting in all to \$1,837,715.90.

Dated: New York, New York
~~February~~ March 26, 2008



Hon. Loretta A. Preska, U.S.D.J.

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON 3/28/08